



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/530,584
Applicante: Molina *et al.*
I.A. No.: PCT/US03/29852
I.A. Filed: September 22, 2003
Title: Nucleic Acids Encoding Duramycin
Docket No.: 11299.105009 MM1020
Customer No.: 20786

Mail Stop Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR
PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID
SEQUENCE DISCLOSURES**

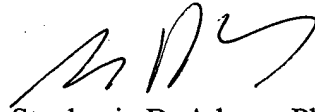
Sir:

In response to the Notification to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures (the "Notice") mailed from the United States Patent and Trademark Office July 27, 2005, for which a response was due September 27, 2005, Applicants, through their attorneys and agents, submit the following:

1. Notification to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures;
2. Preliminary Amendment;
3. Sequence Listing (paper);
4. Sequence Listing (diskette);
5. Sequence Listing Content Statement;
6. Petition for Extension of Time (two months);
7. Fee Transmittal;
8. Check for \$225 (to cover surcharge for petition for two month extension of time);
9. Certificate of Mailing; and
10. Postcard.

It is believed that the submission of these documents and the fee constitutes a complete response to the Notice. The Commissioner is authorized to charge any underpayment of fees and to credit any overpayment to Deposit Account No. 11-0980.

Respectfully submitted,



Stephanie D. Adams, Ph.D.
Patent Agent
Registration No. 47,378

Date: November 28, 2005

KING & SPALDING LLP
191 Peachtree Street
45th Floor
Atlanta, GA 30303-1763
Tel. (404) 572-4600

FEE TRANSMITTAL

Attorney Docket No. 11299.105009 MM1020

This sheet accompanies a patent application transmittal for the following application:

Appl. No.: 10/530,584
Inventor(s): Molina *et al.*
PCT Filing Date: September 22, 2003
Title: Nucleic Acids Encoding Duramycin

The filing fee is calculated as shown below:

1. FILING FEE:

SMALL ENTITY			LARGE ENTITY	
FOR:	FEE	FEE PAID	FEE	FEE PAID
<input type="checkbox"/> UTILITY FILING FEE	\$150		\$300	
<input type="checkbox"/> UTILITY SEARCH FEE	\$250		\$500	
<input type="checkbox"/> UTILITY EXAMINATION FEE	\$100		\$200	
<input type="checkbox"/> PROVISIONAL FILING FEE	\$100		\$200	
<input type="checkbox"/> DESIGN FILING FEE	\$100		\$200	
<input type="checkbox"/> DESIGN SEARCH FEE	\$50		\$100	
<input type="checkbox"/> DESIGN EXAMINATION FEE	\$65		\$130	
<input type="checkbox"/> REISSUE FILING FEE	\$150		\$300	
<input type="checkbox"/> REISSUE SEARCH FEE	\$250		\$500	
<input type="checkbox"/> REISSUE EXAMINATION FEE	\$300		\$600	
<input type="checkbox"/> APPLICATION SIZE FEE (If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).	\$125		\$250	
SUBTOTAL (1)		\$xxx		\$xxx

2. CLAIMS:

SMALL ENTITY				LARGE ENTITY		
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	- 20 =	0	x 25 =		x 50 =	
INDEP. CLAIMS	- 3 =	0	x 100 =		x 200 =	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			+180 =		+360 =	
SUBTOTAL (2)				\$xxx		\$xxx

3. ADDITIONAL FEES:

SMALL ENTITY			LARGE ENTITY	
FOR:	FEE	FEE PAID	FEE	FEE PAID
<input type="checkbox"/> LATE FILING, FEE OR OATH	\$65		\$130	
<input type="checkbox"/> NON-ENGLISH SPECIFICATION	\$130		\$130	
<input checked="" type="checkbox"/> OTHER: TWO-MONTH EXTENSION OF TIME	\$225	225	\$450	
SUBTOTAL (3)		\$225		\$xxx

FEE TRANSMITTAL

Page 2

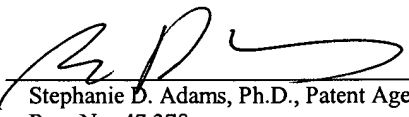
Attorney Docket No. 11299.105009 MM1020

TOTAL FEES: \$225

A check is enclosed for the total amount: **\$225**

☒ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 or 1.17, or to credit any overpayment, to Deposit Account No. 11-0980.

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Telephone: 404.572.4600

By: 
Stephanie D. Adams, Ph.D., Patent Agent
Reg. No. 47,378

Date: November 28, 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/530,584	Luis Molina	11299.105009 MM1020

INTERNATIONAL APPLICATION NO.

PCT/US03/29852

I.A. FILING DATE

PRIORITY DATE

09/22/2003

10/10/2002

20786

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KING & SPALDING LLP

CONFIRMATION NO. 7698

371 FORMALITIES LETTER



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Date Mailed: 07/27/2005

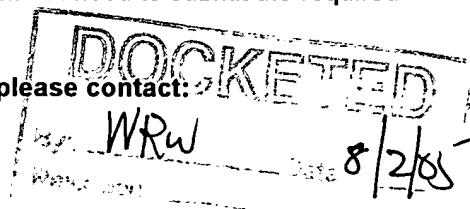
NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:



- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/530,584	PCT/US03/29852	11299.105009 MM1020

FORM PCT/DO/EO/922 (371 Formalities Notice)

Response to Notification to Comply With Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures

**RESPONSE TO NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR
PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID
SEQUENCE DISCLOSURES**

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that the below-listed items are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below-identified date.

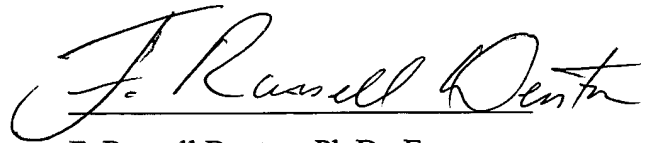
Enclosures:

1. Response to Notification to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures;
2. Notification to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures;
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Deposit Date: November 28, 2005

Appl. No.: 10/530,584

Docket No.: 11299.105009 MM1020



F. Russell Denton, Ph.D., Esq.
Patent Attorney
Registration No. 51,611